



US Army Corps
of Engineers
Portland District

PUBLIC NOTICE

for Permit Application

Issue Date: June 20, 2003

Expiration Date: July 21, 2003

Corps of Engineers Action ID: 199500730

Oregon Division of State Lands Number: 26557-FP

30-Day Notice

Interested parties are hereby notified that an application has been received for a Department of the Army permit for certain work in waters of the United States, as described below and shown on the attached plan.

Comments: Comments on the described work should reference the U.S. Army Corps of Engineers' number shown above and should reach this office no later than the above expiration date of this Public Notice to become part of the record and be considered in the decision. Comments should be mailed to the following address:

U.S. Army Corps of Engineers
ATTN: CENWP-OP-GE (Ms. Michele E. Hanson)
1600 Executive Parkway, Suite 210
Eugene, Oregon 97401

Applicant: Mr. Ross Murry
Ross Investments, Inc.
3610 Goodpasture Lakes Loop Road
Eugene, Oregon 97401

Location: The site is located at 51 North Danebo Avenue in the City of Eugene, SE ¼ Section 28, Township 17 South, Range 4 West, Lane County, Oregon.

Project Description: The applicant proposes to discharge fill material into 4.4 acres of wetlands adjacent to a tributary to Amazon Creek to develop new heavy industrial sites in west Eugene, Oregon. The fill would support eight (8) warehouse buildings, associated offices, and private road access from Danebo Avenue. Public utilities would be installed within the road right-of-way. Stormwater would be managed by routing through the existing storm sewer located along Danebo Avenue. The entire site contains 5.9 acres of palustrine emergent, wet meadow, which was historically used for agricultural production. The West Eugene Wetlands Plan has identified this area as suitable for development.

A total of 30,000 cubic yards of fill material, including approximately 7,900 cubic yards of fill in wetlands, would be required to provide level elevations with adequate sloping for drainage. The applicant has not identified the source for obtaining fill material.

Mitigation: As compensatory mitigation for the loss of wetland functions and values that would be associated with this project, the applicant has proposed to purchase wetland credits through an approved wetland bank within the same watershed.

If a permit is issued, the Corps will determine what is appropriate and practicable compensatory mitigation. The amount of compensatory mitigation required shall be commensurate with the anticipated impacts of the project.

Purpose: To develop a heavy industrial site within the limits of the City of Eugene.

Drawings: Five (5) drawings are attached.

Additional Information: Additional information may be obtained from Ms. Michele E. Hanson, Project Manager, U.S. Army Corps of Engineers at (541) 465-6878 or email at michele.e.hanson@nwp01.usace.army.mil.

Authority: This permit will be issued or denied under the following:

Sections 404, Clean Water Act (33 U.S.C. 1344), for discharge of dredged or fill material into waters of the United States.

Water Quality Certification: A permit for the described work will not be issued until certification, as required under Section 401 of the Clean Water Act (P.L. 95-217), has been received or is waived from the certifying state. Attached is the state's notice advertising the request for certification.

Section 404(b)(1) Evaluation: The impact of the activity on the public interest will be evaluated in accordance with the Environmental Protection Agency guidelines pursuant to Section 404(b)(1) of the Clean Water Act.

Public Hearing: Any person may request in writing that a public hearing be held to consider this application within the comment period specified in this notice. Requests for public hearings shall state with particularity the reasons for holding a public hearing.

Endangered Species: Preliminary determinations indicate that the described activity will not affect endangered species, or their critical habitat designated as endangered or threatened under the Endangered Species Act of 1973 (87 Stat. 844). Formal consultation under Section 7 of the Act is not required for the described activity.

Cultural Resources: There are no recorded historic properties within the permit area. The permit area has experienced past surface soil disturbances for agricultural purposes, and other disturbances associated with urbanization. Therefore, the likelihood the proposed project would affect an undisturbed historic property or other type of cultural resource would be negligible.

This notice has been provided to the State Historic Preservation Office, interested Native American Indian Tribes, and other interested parties. If you have information pertaining to cultural resources within the permit area, please provide this information to the Corps project manager (identified on page 1 of this notice) to assist in a complete evaluation of potential affects.

Evaluation: The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the described activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit, which reasonably may be expected to accrue from the described activity, must be balanced against its reasonably foreseeable detriments. All factors, which may be relevant to the described activity, will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values,

flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, consideration of property ownership, and in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Additional Requirements: State law requires that leases, easements, or permits be obtained for certain works or activity in the described waters. These State requirements must be met where applicable and a Department of the Army permit must be obtained before any work within the applicable Statutory Authority previously indicated may be accomplished. Other local governmental agencies may also have ordinances or requirements, which must be satisfied before the work is accomplished.

PUBLIC NOTICE

OREGON DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER QUALITY 401 CERTIFICATION

Corps of Engineers Action ID Number: 199500730
Oregon Division of State Lands Number: 26557-FP

Notice Issued: June 20, 2003
Written Comments Due: July 21, 2003

WHO IS THE APPLICANT: Ross Investments, Inc.

LOCATION OF CERTIFICATION ACTIVITY: See attached U.S. Army Corps of Engineers public notice.

WHAT IS PROPOSED: See attached U.S. Army Corps of Engineers public notice on the proposed project.

NEED FOR CERTIFICATION: Section 401 of the Federal Clean Water Act requires applicants for Federal permits or licenses to provide the Federal agency a water quality certification from the State of Oregon if the proposed activity may result in a discharge to surface waters.

DESCRIPTION OF DISCHARGES: See attached U.S. Army Corps of Engineers public notice on the proposed project.

WHERE TO FIND DOCUMENTS: Documents and related material are available for examination and copying at Oregon Department of Environmental Quality, Water Quality Division, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390.

While not required, scheduling an appointment will ensure documents are readily accessible during your visit. To schedule an appointment please call Ms. Alice Kavajecz at (503) 229-6962.

Any questions on the proposed certification may be addressed to the 401 Program Coordinator, (503) 229-5845 or toll free within Oregon at 1-800-452-4011. People with hearing impairments may call DEQ's TTY at (503) 229-6993.

PUBLIC PARTICIPATION:

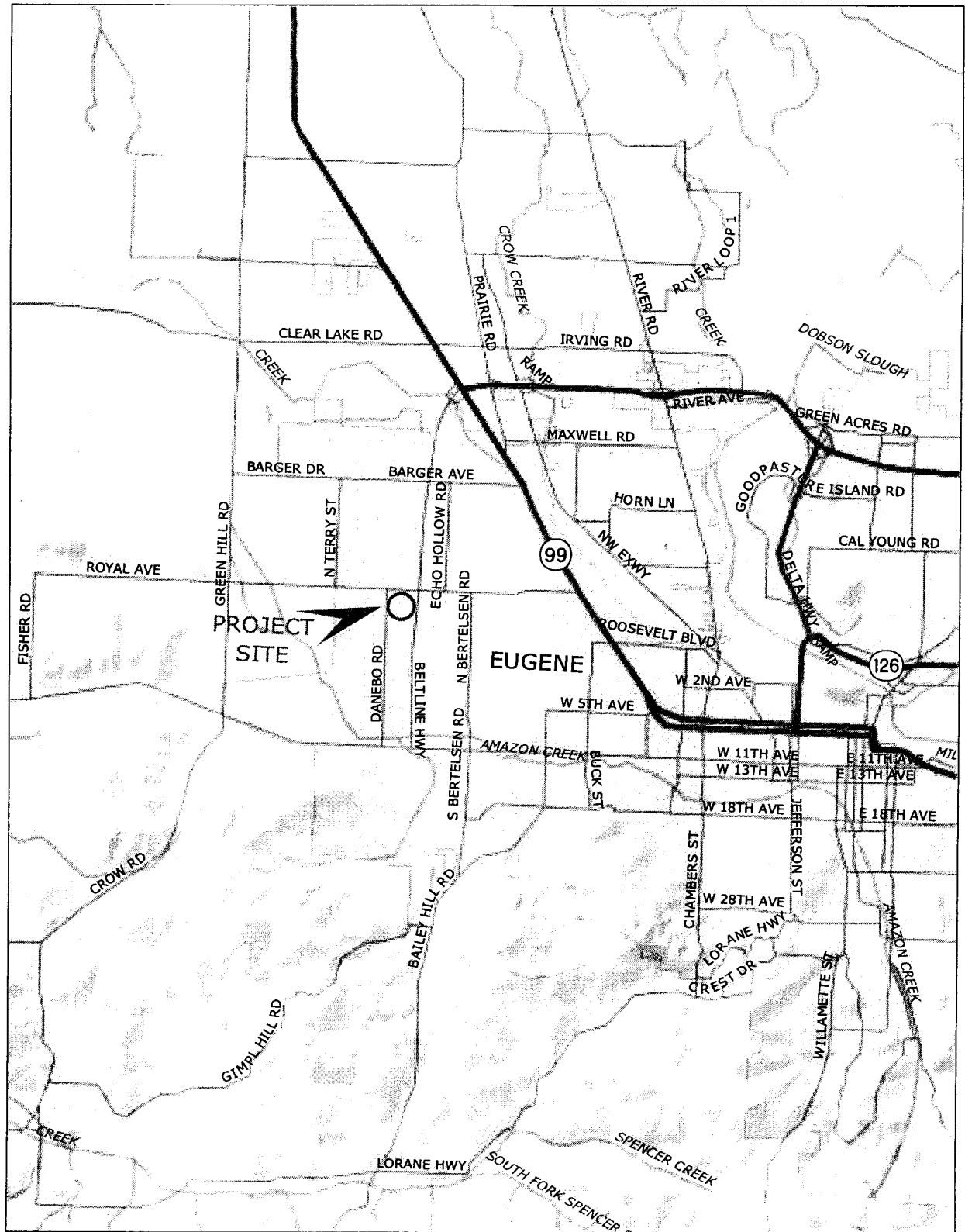
Public Hearing: Oregon Administrative Rule (OAR) 340-48-0020 (6) states that "The Director shall provide an opportunity for the applicant, any affected state, or any interested agency, person, or group of persons to request or petition for a public hearing with respect to certification applications. If the Director determines that new information may be produced thereby, a public hearing will be held prior to the Director's final determination. Instances of doubt shall be resolved in favor of holding the hearing. There shall be public notice of such a hearing."

Written comments:

Written comments on the proposed certification must be received at the Oregon Department of Environmental Quality by 5 p.m. on July 21, 2003. Written comments should be mailed to Oregon Department of Environmental Quality, Attn: 401 Program Coordinator, 811 S.W. Sixth Avenue, Portland, Oregon 97204-1390 or faxed to (503) 229-6124. ***People wishing to send written comments via e-mail should be aware that if there is a delay between servers or if a server is not functioning properly, e-mails may not be received prior to the close of the public comment period.*** People wishing to send comments via e-mail should send them in Microsoft Word (through version 7.0), WordPerfect (through version 6.x) or plain text format at deq.infor@deqstate.or.us. Otherwise due to conversion difficulties, DEQ recommends that comments be sent in hard copy.

WHAT HAPPENS NEXT: DEQ will review and consider all comments received during the public comment period. Following this review, the permit may be issued as proposed, modified, or denied. You will be notified of DEQ's final decision if you present either oral or written comments during the comment period. Otherwise if you wish to receive notification, please call or write DEQ at the above address.

ACCESSIBILITY INFORMATION: This publication is available in alternate format (e.g. large print, Braille) upon request. Please contact DEQ Public Affairs at (503) 229-5766 or toll free within Oregon at 1-800-452-4011 to request an alternate format. People with a hearing impairment can receive help by calling DEQ's TTY at (503) 229-6993.



SOURCE: Environmental Systems Research Institute, Inc. (ESRI)

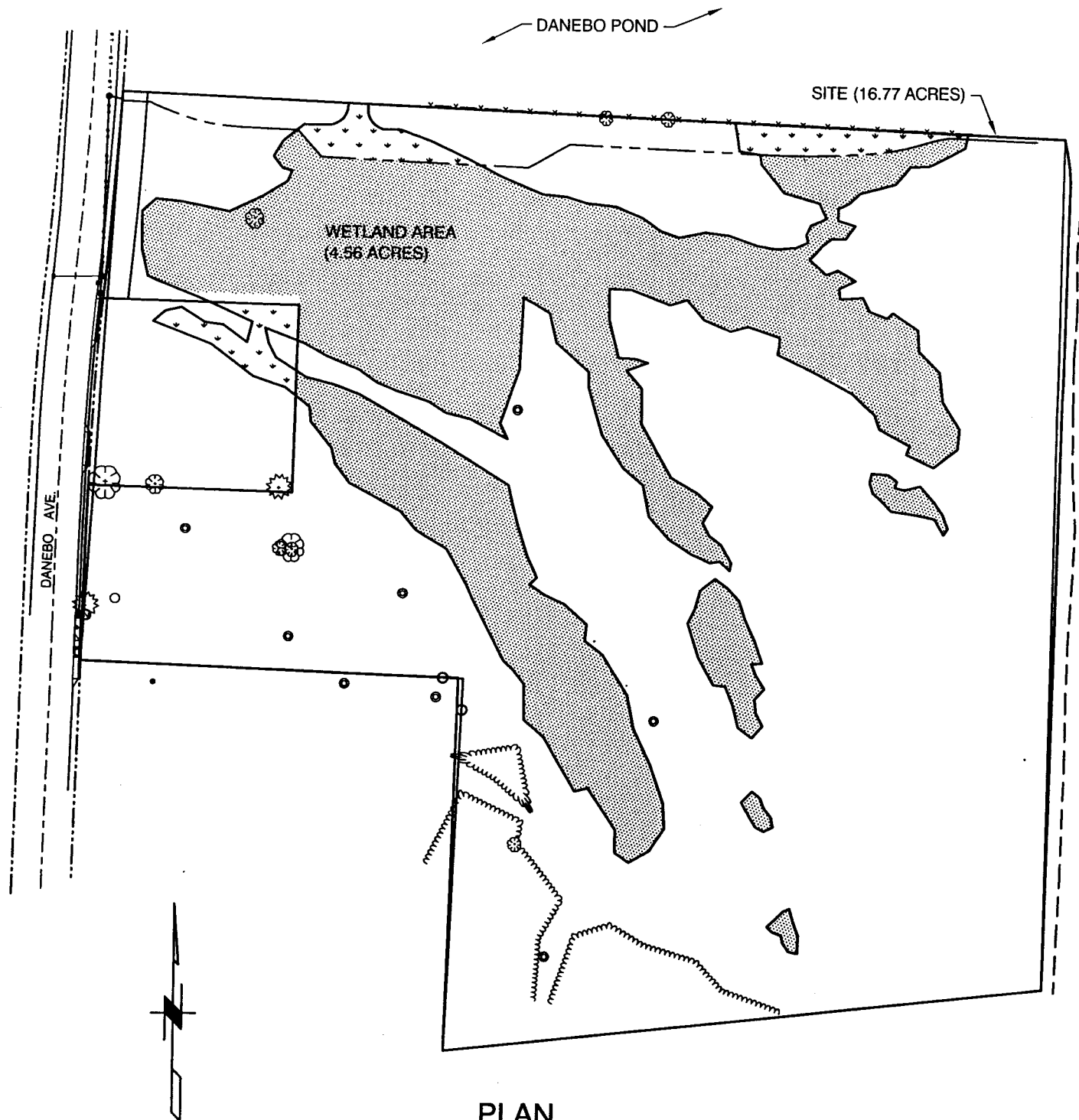
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VICINITY MAP

Ross Industrial Park
51 N Danebo Rd.
EUGENE, OREGON

JUNE 2002

FIGURE 1



PLAN
Not to Scale

Existing Condition

Ross Investments
Ross Industrial Park
Eugene, Oregon

6/21/02
52-00190003.00

Figure 2

URS

WETLAND SETBACK AREA AS SHOWN ON MAP No. 26 OF THE WEST EUGENE WETLAND PLAN

DANEBO POND

SITE (16.77 ACRES)

DANEBO AVE.

LOT #1

LOT #2

LOT #3

LOT #4

LOT #5

PROPOSED ROADWAY

CLOUDBURST WAY (PROPOSED)

LOT #6

LOT #7





LOT #8

A3 CHANNEL

WATER FEATURE SETBACK
40' FROM TOP OF BANK

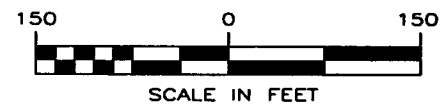
INDUSTRIAL AREA

LEGEND

-  SETBACKS
-  PROPOSED IMPACTED WETLANDS
-  WETLAND REMAINING
-  PROPOSED DEVELOPMENT

PLAN

EXISTING WETLANDS - 4.56 ACRES
PROPOSED WETLAND IMPACTS - 4.38 ACRES



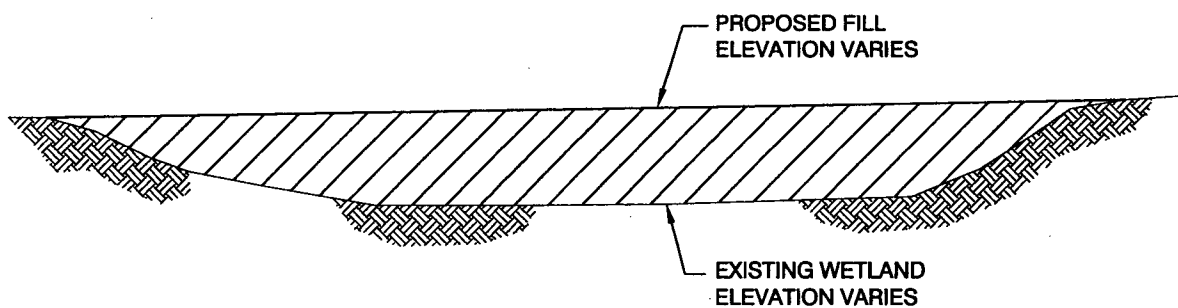
Proposed Development and Wetland Impact

6/21/02
52-00190003.00

Ross Investments
Ross Industrial Park
Eugene, Oregon

Figure 3

URS



CROSS SECTION
NOT TO SCALE

Cross Section of Wetland and Proposed Topography

6/24/02
52-00190003.00

Ross Investments
Ross Industrial Park
Eugene, Oregon

URS

Figure 4

TENTATIVE SUBDIVISION PLAN OF
ROSS INDUSTRIAL PARK

NW1/4 SE1/4 SECTION 28, T. 17S., R. 4 W. of the WILLAMETTE MERIDIAN

OWNER
Ross Murry
3610 Good
Eugene, Or

PUBLIC IMPROVEMENTS:
All public improvements are proposed to be constructed privately except the following:

- Storm swr. upgrade and WWP connections on Danebo Avenue
- WWP System along Cloudburst Way

BENCH MARK:

Elevations Based upon City of Eugene
Brass Disc set in concrete walk at S.W. corner
Donebo Ave Bridge over Amazon canal.
Bench Mark Elevation = 391.60

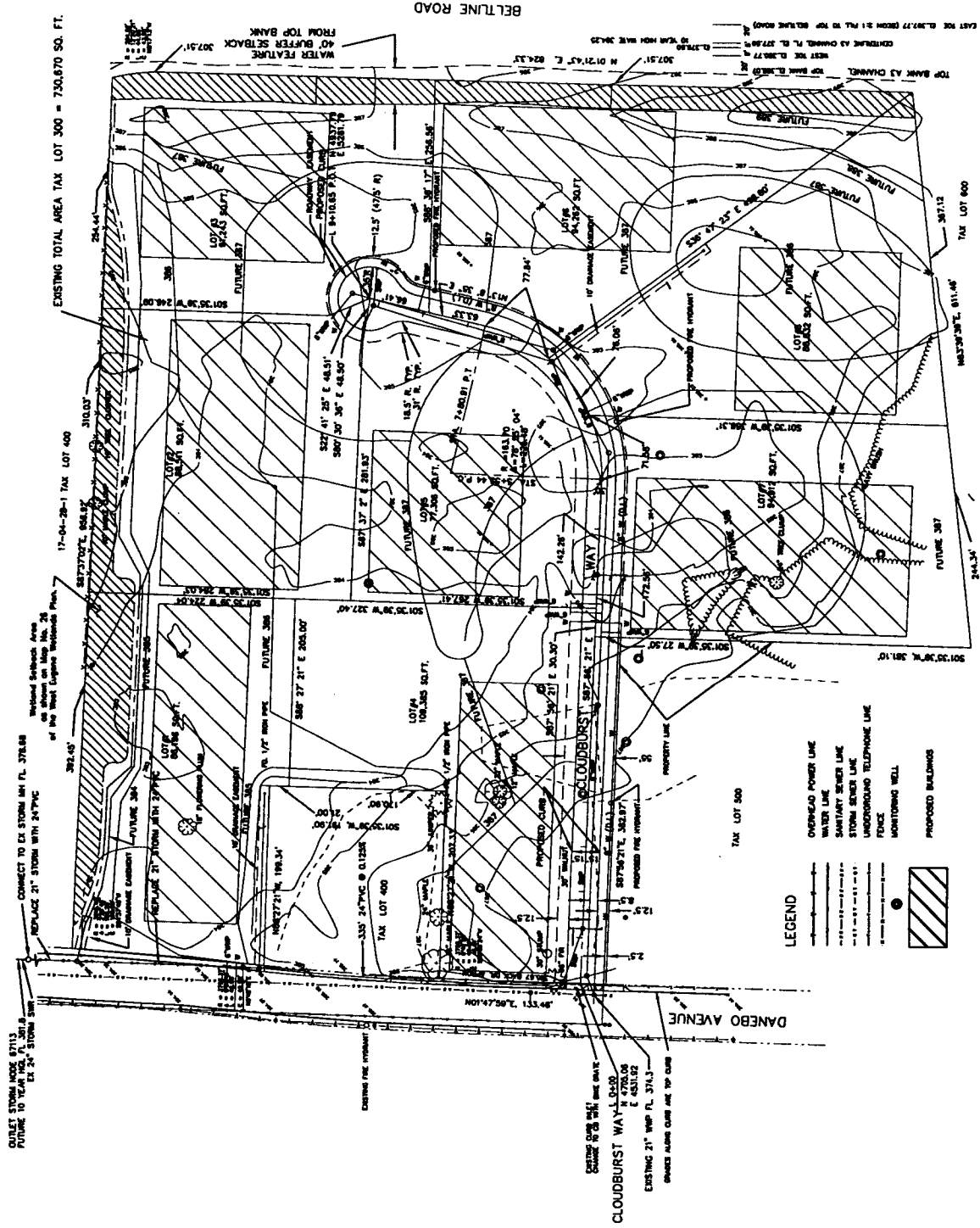


Figure 5

WEBER ELLIOTT ENGINEERS, PC
Land Planning • Civil Engineering • Environmental
P.O. Box 10145
Eugene, OR 97440
Phone: 541-461-9779

